

DISCUSSION DRAFT – SFTMA MOTOR VEHICLE FOR HIRE REGULATIONS

SECTION 1102: DEFINITIONS

TAXI TOWN HALL MEETINGS,

MAY 1, 2009 AT 10:00 A.M.-12:30 P.M. AND 1:30PM-4:00 P.M.

MAY 4, 2009 AT 9:00AM- 1:00 P.M.-4:00 P.M.

1 SOUTH VAN NESS AVENUE, 2<sup>ND</sup> FLOOR ATRIUM

**SEC. 1102. DEFINITIONS**

For purposes of this Article the following words and phrases shall have the meanings set forth below:

**(a)** "Chief of Police" shall mean the Chief of Police of the Police Department of the City and County of San Francisco and his or her designee(s) within the Police Department.

**(b)** ~~(a)~~ **"Color Scheme"** shall mean either the design or trade dress of a vehicle used as a Taxi or Ramp Taxi that is distinct to the fleet of a business that provides taxi service, or a business that provides taxi service and holds a Color Scheme Permit ~~permit~~ issued by the SFMTA Board or predecessor agency, including any owner, manager, employee or lessee of ~~said Color Scheme~~ such business.

**(c)** "Color Scheme Permit" shall mean a permit issued by the SFMTA to operate a Color Scheme in the City.

**(d)** "Controlled Substance Testing Program" shall mean a program adopted by the SFMTA Board to comply with California Government Code § 53075.5.

**(e)** "Dispatch Service" shall mean any person, business, firm, partnership, association or corporation which holds itself out to the public as a service by or through which taxis may be summoned or dispatched by radio, telephone, or other means of communication, including any owner, manager or employee of said Dispatch Service.

**(f)** "Dispatch Service Permit" shall mean a permit issued by the SFMTA to operate a Dispatch Service in the City.

**(g)** ~~(b)~~ **"Driver"** shall mean either a ~~any~~ person who holds a Driver Permit issued by the SFMTA to operate a Motor Vehicle for Hire or a person engaged in the mechanical operation and

**PROPOSED REGULATIONS WILL BE PRESENTED FOR CONSIDERATION BY THE  
SFTMA BOARD OF DIRECTORS ON MAY 19, 2009  
ROOM 400, SAN FRANCISCO CITY HALL, 2:00PM  
SFMTA IS ACCEPTING COMMENTS TO DRAFT REGULATIONS THROUGH MAY 8, 2009**

AFTER MAY 8 COMMENTS MAY BE ADDRESSED TO THE BOARD AT ITS MEETING

DISCUSSION DRAFT – SFTMA MOTOR VEHICLE FOR HIRE REGULATIONS

SECTION 1102: DEFINITIONS

TAXI TOWN HALL MEETINGS,

MAY 1, 2009 AT 10:00 A.M.-12:30 P.M. AND 1:30PM-4:00 P.M.

MAY 4, 2009 AT 9:00AM- 1:00 P.M.-4:00 P.M.

1 SOUTH VAN NESS AVENUE, 2<sup>ND</sup> FLOOR ATRIUM

having physical charge or custody of a Motor Vehicle for Hire ~~while said Motor Vehicle for Hire is available for hire or is actually hired.~~

**(h)** “Driver Permit” or “A-Card” shall mean a permit issued by the SFMTA to operate a Taxi or Ramp Taxi in the City.

**(i)** ~~(e)~~ **“Filing Fee”** shall mean a fee in an amount established by the SFMTA Board, due upon application for a permit, and including any late payment penalties or interest for failure to pay in accordance with the requirements of this Article of any other regulation adopted by the SFMTA Board.

**(j)** “Found Property” shall mean any personal property found in or about a Motor Vehicle for Hire by a Driver or delivered to a Driver or to a Color Scheme by any person who has found such property.

**(k)** “Full-Time Driver” or “Full-Time Driving” shall mean any Driver actually engaged in, or the activity comprised of (respectively) the mechanical operation and physical charge and custody of a Taxi or Ramp Taxi which is available for hire or actually hired for at least 156 four-hour shifts or 800 hours, whichever shall come first.

**(l)** ~~(d)~~ **“Gate Fee”** shall mean any monetary fee or other charge or consideration, or any combination thereof, required of a Driver who is not a Taxi or Ramp Taxi ~~Permit~~ Medallion Holder for the privilege of driving a Taxi or Ramp Taxi during a particular shift, or for any period of time, including receipt of all services provided in connection with such privilege, whether said fee is set by contract, lease or other agreement, orally or in writing, and whether said fee is paid by the Driver as a flat rate, as a commission on receipts from fares, or as a specified fee for any other purpose.

**PROPOSED REGULATIONS WILL BE PRESENTED FOR CONSIDERATION BY THE  
SFTMA BOARD OF DIRECTORS ON MAY 19, 2009  
ROOM 400, SAN FRANCISCO CITY HALL, 2:00PM  
SFMTA IS ACCEPTING COMMENTS TO DRAFT REGULATIONS THROUGH MAY 8, 2009**

AFTER MAY 8 COMMENTS MAY BE ADDRESSED TO THE BOARD AT ITS MEETING

DISCUSSION DRAFT – SFTMA MOTOR VEHICLE FOR HIRE REGULATIONS  
SECTION 1102: DEFINITIONS

TAXI TOWN HALL MEETINGS,

MAY 1, 2009 AT 10:00 A.M.-12:30 P.M. AND 1:30PM-4:00 P.M.

MAY 4, 2009 AT 9:00AM- 1:00 P.M.-4:00 P.M.

1 SOUTH VAN NESS AVENUE, 2<sup>ND</sup> FLOOR ATRIUM

(m) “Key Personnel” shall mean a Taxi Permit Holder who works in an administrative capacity or performs functions integral to a Color Scheme, who is a bona fide employee on the payroll of the Color Scheme and who works on-site at the Color Scheme’s principal place of business.

(n) “Lease” shall mean an otherwise lawful written document, employment contract, or other agreement that for consideration authorizes the temporary operation of a Taxi or Ramp Taxi Medallion by a person or Color Scheme other than the Taxi or Ramp Taxi Medallion Holder.

(o) ~~(e)~~ **“Lease Fee”** shall mean any monetary fee or other charge or consideration, or any combination thereof, charged by or paid to a Taxi or Ramp Taxi ~~Permit~~ Medallion Holder for the privilege of operating that ~~Medallion Taxi Permit Holder’s Taxi or Ramp Taxi permit~~ during a particular shift, or for any period of time.

(p) “Medallion” shall mean a permit issued by the SFMTA to operate a particular Taxi or Ramp Taxi vehicle in the City.

(q) “Medallion Holder” shall mean the person or entity to whom a Medallion was issued.

(r) ~~(f)~~ **“Motor Vehicle for Hire”** shall mean every type of privately owned motor vehicle, as defined in the Vehicle Code, which is available for hire and over which the City may exercise jurisdiction, except as otherwise specified in this Article.

(s) ~~(g)~~ **“Motor Vehicle for Hire Permit”** shall mean a permit issued by the SFMTA Board for the operation of an identified vehicle for the purpose of transporting passengers for a price, including Taxi and Ramp Taxi Medallions and Non-Standard Vehicle permits, and does not include Dispatch Service, Color Scheme or Driver Permits ~~permits~~.

PROPOSED REGULATIONS WILL BE PRESENTED FOR CONSIDERATION BY THE  
SFTMA BOARD OF DIRECTORS ON MAY 19, 2009  
ROOM 400, SAN FRANCISCO CITY HALL, 2:00PM  
**SFMTA IS ACCEPTING COMMENTS TO DRAFT REGULATIONS THROUGH MAY 8, 2009**

AFTER MAY 8 COMMENTS MAY BE ADDRESSED TO THE BOARD AT ITS MEETING

DISCUSSION DRAFT – SFTMA MOTOR VEHICLE FOR HIRE REGULATIONS  
SECTION 1102: DEFINITIONS

TAXI TOWN HALL MEETINGS,

MAY 1, 2009 AT 10:00 A.M.-12:30 P.M. AND 1:30PM-4:00 P.M.

MAY 4, 2009 AT 9:00AM- 1:00 P.M.-4:00 P.M.

1 SOUTH VAN NESS AVENUE, 2<sup>ND</sup> FLOOR ATRIUM

(t) “Model Year” shall mean the year model designated at the time of manufacture of first assembly as a completed vehicle (e.g. If a vehicle is produced in 2007, but is designated for sale as a 2008 model, then the vehicle is considered a 2008 Model Year.)

(u) “Non-Standard Vehicle” shall mean a privately owned, motor-propelled passenger carrying vehicle which may be legally operated on the streets of the City under all applicable state and local laws and regulations, and which is not defined elsewhere in this Article.

(v) “O.E.M.” shall mean any equipment installed on a vehicle when the vehicle was initially manufactured.

(w) “Paratransit Broker” shall mean the contractor retained by SFMTA to administer the Paratransit Program.

(x) “Paratransit Coordinating Council” shall mean [add definition].

(y) “Paratransit Program” shall mean the SFMTA program to provide transit services for people unable to independently use public transit because of a disability or disabling health condition, as required by the Americans with Disabilities Act.

(z) ~~(h)~~ **“Permit Fee”** shall mean a fee in an amount established by the SFMTA Board, required to be paid by a permit applicant ~~upon qualifying for permit and prior to~~ for permit issuance or renewal, including any late payment penalties or interest for failure to pay in accordance with the requirements of this Article and any other regulations adopted by the SFMTA Board.

~~(aa) (i)~~ “Permittee” ~~or~~ **“Permit Holder”** shall mean any person, business, firm, partnership, association or corporation which holds any permit issued by or under the authority of the SFMTA to drive, operate or cause to be operated any Motor Vehicle for Hire or to operate any Dispatch Service or Color Scheme pursuant to this Article, and any agent of ~~said~~ such Permit

**PROPOSED REGULATIONS WILL BE PRESENTED FOR CONSIDERATION BY THE  
SFTMA BOARD OF DIRECTORS ON MAY 19, 2009  
ROOM 400, SAN FRANCISCO CITY HALL, 2:00PM  
SFMTA IS ACCEPTING COMMENTS TO DRAFT REGULATIONS THROUGH MAY 8, 2009**

AFTER MAY 8 COMMENTS MAY BE ADDRESSED TO THE BOARD AT ITS MEETING

DISCUSSION DRAFT – SFTMA MOTOR VEHICLE FOR HIRE REGULATIONS

SECTION 1102: DEFINITIONS

TAXI TOWN HALL MEETINGS,

MAY 1, 2009 AT 10:00 A.M.-12:30 P.M. AND 1:30PM-4:00 P.M.

MAY 4, 2009 AT 9:00AM- 1:00 P.M.-4:00 P.M.

1 SOUTH VAN NESS AVENUE, 2<sup>ND</sup> FLOOR ATRIUM

Holder including, but not limited to, any owner, manager, employee or lessee of ~~said~~ such Permit Holder.

(bb) "Police Department" shall mean the Police Department of the City and County of San Francisco.

(cc) ~~(j)~~ **"Ramp Taxi"** shall mean a Taxi that is specially adapted with access for wheelchair users.

(dd) "Ramp Taxi Medallion" shall mean a permit issued by the SMTA or predecessor agency to operate a particular Taxi vehicle that is specially adapted with access for wheelchair users.

(ee) "Ramp Taxi Program" shall mean [add definition]

(ff) ~~(k)~~ **"Rates of Fare"** shall mean the fees and charges that are authorized by the SFMTA Board that may be charged to the public by a Permit Holder in consideration for transport by a Motor Vehicle for Hire.

(gg) "Response Time Goals" shall mean the measure of industry performance expressed by the time elapsed between the time a Dispatch Service receives a request for service to the time that a Taxi or Ramp Taxi actually arrives at the location specified by the customer for pick up. The currently applicable Response Time Goals are as follows:

(1) 70% of the time, a Taxi or Ramp Taxi will arrive within 10 minutes of the service call.

(2) 80% of the time, a Taxi or Ramp Taxi will arrive within 15 minutes of the service call.

(3) 99% of the time, a Taxi or Ramp Taxi will arrive within 30 minutes of the service call.

(hh) "SFMTA" shall mean the San Francisco Municipal Transportation Agency of the City, or any predecessor agency with regulatory jurisdiction over Motor Vehicles for Hire. For the purposes of this Article, SFMTA shall include the Police Department's Taxi Detail.

PROPOSED REGULATIONS WILL BE PRESENTED FOR CONSIDERATION BY THE

SFTMA BOARD OF DIRECTORS ON MAY 19, 2009

ROOM 400, SAN FRANCISCO CITY HALL, 2:00PM

**SFMTA IS ACCEPTING COMMENTS TO DRAFT REGULATIONS THROUGH MAY 8, 2009**

AFTER MAY 8 COMMENTS MAY BE ADDRESSED TO THE BOARD AT ITS MEETING

DISCUSSION DRAFT – SFTMA MOTOR VEHICLE FOR HIRE REGULATIONS  
SECTION 1102: DEFINITIONS

TAXI TOWN HALL MEETINGS,

MAY 1, 2009 AT 10:00 A.M.-12:30 P.M. AND 1:30PM-4:00 P.M.

MAY 4, 2009 AT 9:00AM- 1:00 P.M.-4:00 P.M.

1 SOUTH VAN NESS AVENUE, 2<sup>ND</sup> FLOOR ATRIUM

(ii) ~~(l)~~ **"Taxi"** shall mean a vehicle operated pursuant to a Taxi or Ramp Taxi Medallion permit that is legally authorized to pick up passengers within the City with or without prearrangement, of a distinctive color or colors and which is operated at rates per mile or upon a waiting-time basis, or both, as measured by a Taximeter and which is used for the transportation of passengers for hire over and along the public streets, not over a defined route but, as to the route and destination, in accordance with and under the direction of the passenger or person hiring such vehicle.

(jj) "Taximeter" shall mean a device attached to a Motor Vehicle for Hire which mechanically or electronically calculates the fare to be charged to the passenger, either on the basis of distance traveled or for waiting time, or a combination thereof, and upon which the amount of the fare is indicated by means of numerals in dollars and cents.

(kk) "Vehicle Number" shall mean the unique identifying number associated with each Taxi or Ramp Taxi vehicle.

(ll) ~~(m)~~ **"Waiting List"** shall mean a list of applicants for Taxi or Ramp Taxi Medallions permits for whom such Medallions permits are not yet available, maintained in the order of receipt of complete applications from qualified applicants.

PROPOSED REGULATIONS WILL BE PRESENTED FOR CONSIDERATION BY THE  
SFTMA BOARD OF DIRECTORS ON MAY 19, 2009  
ROOM 400, SAN FRANCISCO CITY HALL, 2:00PM  
**SFMTA IS ACCEPTING COMMENTS TO DRAFT REGULATIONS THROUGH MAY 8, 2009**

AFTER MAY 8 COMMENTS MAY BE ADDRESSED TO THE BOARD AT ITS MEETING

**DISCUSSION DRAFT – SFTMA MOTOR VEHICLE FOR HIRE REGULATIONS**

**SECTION 1102: DEFINITIONS**

TAXI TOWN HALL MEETINGS,

MAY 1, 2009 AT 10:00 A.M.-12:30 P.M. AND 1:30PM-4:00 P.M.

MAY 4, 2009 AT 9:00AM- 1:00 P.M.-4:00 P.M.

1 SOUTH VAN NESS AVENUE, 2<sup>ND</sup> FLOOR ATRIUM

**PROPOSED REGULATIONS WILL BE PRESENTED FOR CONSIDERATION BY THE  
SFTMA BOARD OF DIRECTORS ON MAY 19, 2009  
ROOM 400, SAN FRANCISCO CITY HALL, 2:00PM  
SFMTA IS ACCEPTING COMMENTS TO DRAFT REGULATIONS THROUGH MAY 8, 2009**

AFTER MAY 8 COMMENTS MAY BE ADDRESSED TO THE BOARD AT ITS MEETING

PAGE 7

Email comments to:  
[taxi-driver@sfmta.com](mailto:taxi-driver@sfmta.com)

Or mail or deliver comments to:  
Chris Hayashi  
1 South Van Ness Ave, 7<sup>th</sup> Floor  
San Francisco, CA 94103